



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 22245

PERMIT 15262

LICENSE 9709

THIS IS TO CERTIFY, That

JOSEPH L. ZIEHLKE  
STAR ROUTE, BOX 153, JAMESTOWN, CALIFORNIA 95367  
*Holder of Change (2-9)*

HAS made proof as of JULY 6, 1970 *(the date of inspection)*  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
AN UNNAMED STREAM IN TUOLUMNE COUNTY

tributary to PEORIA CREEK THENCE STANISLAUS RIVER

for the purpose of IRRIGATION, DOMESTIC AND STOCKWATERING USES  
under Permit 15262 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from JULY 28, 1965 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed (A) THREE-HUNDREDTHS (0.03) CUBIC FOOT PER SECOND BY DIRECT  
DIVERSION, TO BE DIVERTED FROM APRIL 15 TO OCTOBER 31 OF EACH YEAR FOR IRRIGATION  
PURPOSES, AND TWO THOUSAND (2,000) GALLONS PER DAY, TO BE DIVERTED FROM JANUARY 1 TO  
DECEMBER 31 OF EACH YEAR FOR DOMESTIC AND STOCKWATERING PURPOSES; AND (B) ONE  
(1) ACRE-FOOT PER ANNUM BY STORAGE, TO BE COLLECTED FROM NOVEMBER 1 OF EACH YEAR TO  
APRIL 15 OF THE SUCCEEDING YEAR. THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE  
FOR ANY 30-DAY PERIOD MAY BE DIVERTED IN A SHORTER TIME IF THERE IS NO INTERFERENCE  
WITH OTHER VESTED RIGHTS. THE TOTAL AMOUNT OF WATER TO BE TAKEN FROM THE SOURCE  
(DIRECT DIVERSION PLUS COLLECTION STORAGE) SHALL NOT EXCEED 12 ACRE-FEET PER WATER  
YEAR OF OCTOBER 1 TO SEPTEMBER 30. THE TOTAL AMOUNT OF WATER TO BE PLACED TO  
BENEFICIAL USE (DIRECT DIVERSION PLUS WITHDRAWAL FROM STORAGE) SHALL NOT EXCEED  
11 ACRE-FEET PER CALENDAR YEAR OF JANUARY 1 TO DECEMBER 31.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) NORTH 760 FEET AND WEST 1,375 FEET FROM S1/4 CORNER OF SECTION 25, T1N, R13E,  
MDB&M, BEING WITHIN SW1/4 OF SW1/4 OF SAID SECTION 25 AND
- (2) NORTH 650 FEET AND WEST 1,700 FEET FROM S1/4 CORNER OF SECTION 25, T1N, R13E,  
MDB&M, BEING WITHIN SW1/4 OF SW1/4 OF SAID SECTION 25.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

DOMESTIC AND STOCKWATERING USES AND IRRIGATION OF 2.5 ACRES WITHIN SW1/4 OF  
SW1/4 OF SECTION 25, T1N, R13E, MDB&M.

AFTER THE INITIAL FILLING OF THE RESERVOIR, LICENSEE'S RIGHT UNDER THIS  
LICENSE EXTENDS ONLY TO WATER NECESSARY TO KEEP THE STORAGE RESERVOIR FULL BY  
REPLACING WATER BENEFICIALLY USED AND WATER LOST BY EVAPORATION AND SEEPAGE, AND  
TO REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

222-74 Name chgd to Estate of Joseph  
L. Ziehlke

3-10-74 Records chgd to show Joseph + Mary  
Ziehlke as owner

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 31 1971

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward  
Chief, Division of Water Rights

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